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6	IN THE UNITED STATES DISTRICT COURT		
7	FOR THE DISTRICT OF ARIZONA		
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9	Stephen Bishop,) No. CV 08-964-PHX-SMM (JRI)	
10	Plaintiff,	ORDER	
11	vs.		
12	Dono D. Cohming et al		
13	Dora B. Schriro, et al.,	}	
14	Defendants.		
15	District G. A. District	_)	
16	Plaintiff Stephen Bishop, who is confined in the Arizona State Prison Complex-		
17	Eyman, filed a <i>pro se</i> civil rights Complaint pursuant to 42 U.S.C. § 1983. On June 9, 2008,		
18	the Court issued an Order directing Defendant Schriro to answer Count II of the Complaint		
19	and dismissing the remaining claims and Defendants without prejudice. On June 27, 2008,		
20	Plaintiff filed a Motion for Reconsideration (Doc. #7), asking that the Court reinstate Counts		
	I and III of the Complaint.		
21	Motions for reconsideration should be granted only in rare circumstances. <u>Defenders</u>		
22	of Wildlife v. Browner, 909 F. Supp. 1342, 1351 (D.Ariz. 1995). "Reconsideration is		
23	appropriate if the district court (1) is presented with newly discovered evidence,		
24	(2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an		
25	intervening change in controlling law." School Dist. No. 1J, Multnomah County v. ACandS,		
26	Inc., 5 F.3d 1255, 1263 (9th Cir. 1993). Such motions should not be used for the purpose of		

1	asking a court "to rethink what the court had already thought through — rightly or
2	wrongly." <u>Defenders of Wildlife</u> , 909 F. Supp. at 1351 (quoting <u>Above the Belt, Inc. v. Mel</u>
3	Bohannon Roofing, Inc., 99 F.R.D. 99, 101 (E.D.Va. 1983)). Further, the failure to properly
4	brief an issue does not warrant granting a motion to reconsider. Motorola, Inc. v. J.B. Rogers
5	Mechanical Contractors, Inc., 215 F.R.D. 581, 586 (D. Ariz. 2003)
6	In his Motion for Reconsideration, Plaintiff essentially resubmits arguments made in
7	the original Complaint; he does not present the Court with newly discovered evidence nor
8	does he assert that there has been an intervening change in controlling law. The Court has
9	reviewed Plaintiff's Complaint, the screening Order, and Plaintiff's Motion for
10	Reconsideration and finds no reason to reconsider its dismissal of Counts I and III of the
11	Complaint.
12	IT IS THEREFORE ORDERED that Plaintiff's June 27, 2008 Motion for
13	Reconsideration (Doc. #7) is DENIED .
14	DATED this 28th day of July, 2008.
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18	Stephen M. McNamee United States District Judge
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